

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

All Cases Noted on Attached Appendix

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**MASTER STIPULATION AND ORDER
DISMISSING WITH PREJUDICE CLAIMS
PURSUANT TO WALMART NATIONAL SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Plaintiff Subdivisions identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Walmart Defendants¹ that, pursuant to the election of each Dismissing Plaintiff to participate in the Walmart Settlement Agreement, which is dated November 14, 2022, and is binding on the Dismissing Plaintiffs and the Walmart Defendants (a copy of which is attached as Appendix B), all claims of each Dismissing Plaintiff against any Walmart Defendant, including any entity identified on the attached Appendix C, are hereby voluntarily **DISMISSED WITH PREJUDICE**, with each party to bear its own costs. The Court shall retain jurisdiction with respect to the Walmart Settlement Agreement to the extent provided under that Agreement.²

¹ The Released Entities are each and every entity of any of the Walmart Defendants that is a “Released Entity” as set forth in Section I.DDD and Exhibit J of the Walmart Settlement Agreement, dated as of November 14, 2022, a copy of which is attached as Appendix B. They include, but are not limited to, the entities listed on Appendix C, also attached hereto. Appendix C is not intended to limit the scope of Released Entities, and to the extent that Dismissing Plaintiffs or Walmart Defendants subsequently identify any Released Entity that should have been included on Appendix C, they will inform the Clerk of the Court.

² To the extent any Plaintiff Subdivision is inadvertently included on Appendix A, the Court retains jurisdiction to hear those disputes. In advance of raising any such issue with the Court, the Plaintiff Subdivision must meet and confer with defense counsel and Plaintiffs’ Liaison Counsel.

Dated: September 7, 2023

Respectfully submitted,

Agreed as to form and substance:

/s/Jayne Conroy
Jayne Conroy
SIMMONS HANLY CONROY
112 Madison Avenue, 7th Floor
New York, NY 10016
(212) 784-6400
(212) 213-5949 (fax)
jconroy@simmonsfirm.com

/s/Joseph F. Rice
Joseph F. Rice
MOTLEY RICE LLC
28 Bridgeside Blvd.
Mt. Pleasant, SC 29464
(843) 216-9000
(843) 216-9290 (Fax)
jrice@motleyrice.com

/s/Paul T. Farrell, Jr.
Paul T. Farrell, Jr., Esq.
FARRELL & FULLER LLC
1311 Ponce de Leone Ave., Suite 202
San Juan, PR 00907
(304)654-8281
paul@farrellfuller.com

Plaintiffs' Co-Lead Counsel

/s/Peter H. Weinberger
Peter H. Weinberger (0022076)
SPANGENBERG SHIBLEY & LIBER
1001 Lakeside Avenue East, Suite 1700
Cleveland, OH 44114
(216) 696-3232
(216) 696-3924 (Fax)
pweinberger@spanglaw.com

Plaintiffs' Liaison Counsel

Walmart

/s/ Tina M. Tabacchi
Tina M. Tabacchi
Tara A. Fumerton
JONES DAY
110 North Wacker Drive
Suite 4800
Chicago, IL 60606

Phone: (312) 782-3939

Fax: (312) 782-8585

E-mail: tmtabacchi@jonesday.com

E-mail: tfumerton@jonesday.com

Attorneys for Walmart Defendants

SO ORDERED this 8th day of September, 2023.

s/ Dan Aaron Polster

Hon. Dan Aaron Polster

United States District Judge